SUNDAY LAW VALID

Albany Liquor Ordinance Upheld by Supreme Court.

SALOONKEEPER LOSES SUIT

Right of Trial by Jury Does Not Apply to Trivial Cases in Recorder's Court—Use of "and" and "or" in Charging Crimes.

An ordinance inhibiting the sale of spirituous liquors on Sunday is a reasonable exercise of a general authority conferred by charter to regulate the sale of such liquors.

The conjunction "and" is properly used in charging a crime under an ordinance where the disjunctive "or" is employed.

Denial of the right of trial by jury in trivial cases in a Recorder's court is not a violation of the constitutional provision securing the right of trial by jury.

SALEM, Or., April 6.—(Special.)—The Supreme Court today handed down decisions in three appealed cases, two of which were affirmed and one reversed. They were as follows:

Cranor vs. City of Albany.

H. L. Cranor, appellant, vs. City of Albany, respondent, from Linn County, R. P. Boise, Judge; affirmed. Opinion by Justice Bean.

Plaintiff was convicted of selling liquor on Sunday in violation of an ordinance of the City of Albany, and was fined $50. He took the case to the Circuit Court on writ of review, and, having been defeated, he appealed to the Supreme Court. The complaint charged that Cranor did "willfully and unlawfully . . . sell, give away and dispose of," etc. Defendant interposed a demurrer on the ground that the complaint charged more than one crime; that the Recorder's Court was without jurisdiction, and that the complaint did not state facts sufficient to constitute a cause of action. The demurrer having been overruled, defendant demanded a jury trial, which was denied, and the case was tried before the City Recorder.

It was contended first that the ordinance was invalid, because it is not authorized by the city charter. The charter authorizes the Common Council, in general terms, to tax, license, regulate, restrain and prohibit the sale of spirituous, vinous or malt liquors, etc., and then makes numerous specific provisions regarding the regulation of barrooms. Nothing is said about sales on Sunday. The Supreme Court holds that the authority to regulate, restrain and prohibit the sale of liquor necessarily confers the power to enact any reasonable ordinance or regulation thereto, and an ordinance inhibiting the sale of such liquors on Sunday is within the just exercise of such power. The power is not limited to the matters contained in the subsequent specific provisions, which are in no sense restrictive of the general powers previously conferred, except in so far as they may affect the conditions under which a license may be issued, and the duties of the licensee.

The ordinance makes it a misdemeanor to "sell, give away or in any manner dispose of." The defense claimed that a complaint charging that defendant did "sell, give away and dispose of," charged more than one offense. The Supreme Court holds that it is competent for the prosecution, where the statute makes it a crime to do either of several things stated disjunctively, to embrace the whole in a single count, using the conjunction "and" where "or" occurs in the statute.

The Supreme Court also asserts the rule many times laid down in this state, that the refusal of a jury trial in a Recorder's Court for a trivial offense is not a violation of the Constitutional provision securing the right to trial by jury, for that provision preserves only the rights as they existed at the time the Constitution was adopted.

Nye vs. Bill Nye Mining Company.

N. B. Nye, respondent, vs. Bill Nye Gold Mining & Milling Company, appellant, from Jackson County, H. K. Hanna, Judge; reversed. Opinion by Justice Wolverton.

This was a suit to recover for services rendered. The complaint, aside from its formal parts, alleged that "on or about the first day of September, 1900, the plaintiff, at the instance and request of defendant, entered into the employment of defendant as foreman of the mining property belonging to said defendant, situated near the town of Gold Hill, in Jackson County, Or.; that a reasonable compensation for said employment for the said period of one year is the sum of $75 per month, or a total of $900, and that no part of said $900 has been paid. After trial in the court below the court found for the plaintiff, whereupon the defendant moved for judgment, notwithstanding such findings, but this was overruled and judgment entered for the plaintiff, whereupon defendant appealed.

The Supreme Court holds that the complaint was defective for the reason that it contained no allegation as to the time employed, or that any service was actually rendered, except that it was entered upon or commenced, and, no execution of the implied contract having been shown, the law will not imply a promise. The case is remanded to the court below for such further proceedings as may be proper.

Union Light & Power Co. vs Lichty.

Union Light & Power Company, appellant, vs. John Lichty, respondent, from Marion County, R. P. Boise, Judge; affirmed. Opinion by Chief Justice Moore.

This was a suit to restrain the defendant from interfering with the natural flow of waters of Silver Creek, in Marion County. The plaintiff is a riparian proprietor, and uses the waters of the creek to generate electricity. In May, 1902, defendant commenced the erection of a sawmill at Silverton and built a dam across the creek six miles above plaintiff's light station, raising the water 26 feet high. The gates of the dam were closed for two days, in consequence of which plaintiff's supply of water was cut off. Plaintiff alleged these facts and also alleged that defendant threatened to build his dam 75 feet high, and that the release of the waters from this dam would endanger plaintiff's property and the lives of his employes. Defendant denied the material allegations of the complaint and alleged that, as a riparian owner, he was using the water for floating logs, and that such use was a necessary and reasonable exercise of defendant's right as a riparian proprietor. After trial the court found for defendant and dismissed the suit.

In affirming this decision, the Supreme Court recites the facts, showing, among other things, that as soon as defendant found that his closing the gates of his dam deprived the light company of water he opened the gates. There being no apparent probability that a recurrence of the injury will result, and plaintiff having an adequate remedy at law for damages sustained, it is held that the suit for an injunction was properly dismissed.

Insane Asylum Report.

SALEM, Or., April 6.—(Special.)—The report of Superintendent J. F. Calbreath, of the Oregon Insane Asylum, for the month of March, shows a total enrollment of 1297. The number of patients February 28 was 1296, and during March 31 were admitted and two escapes returned. Twenty were discharged, 13 died and one eloped, leaving 1297 at the end of the month. There are 167 officers and employes. The cost of maintenance per capita was $9.90, and per day, 32 cents. There are 24 Alaskan patients in charge, for whom the state receives $20 per month each.

INDORSES THE FAIR.

Linn County Grange Postpones Resolutions to Invoke Referendum.

ALBANY, Or., April 6.—(Special.)—Linn County Council, P. of H., held its regular monthly meeting with Syracuse Grange, just east of Albany, Saturday, and at the meeting the question of the Lewis and Clark Fair appropriation bill was brought up, and the Grangers of Linn and Benton Counties were given an opportunity to express their views on the referendum. The result of the discussion should be very gratifying to members of the Fair board, who had credited Linn County farmers with opposing the bill.

Eight of the county granges were represented in the meeting, and the delegates came from every section of the counties. When a resolution was introduced recommending that the Fair appropriation bill be referred to the people, President W. W. Francis opened the question for discussion, and the Grangers expressed their views without restraint. Among those present were Aaron Jones and Grange Organizer Cyrus H. Walker, both of whom spoke strongly in favor of the Fair. Mr. Jones said the Fair afforded farmers the opportunity of their lives to advertise their state and bring immigrants here, and urged the Linn County Grange to indorse the Fair.

When the question had been thoroughly discussed, a motion was made indefinitely to postpone the resolution to invoke the referendum, and the motion was carried by an overwhelming majority. Thus it will be seen that although there are some "knockers" in Linn County, as everywhere, yet the majority of our citizens are heartily in favor of the Fair. If the Fair appropriation should ever be referred to a plebiscite, Linn County citizens will indorse the appropriation at the polls.

INSURANCE BUSINESS IN OREGON.

Secretary Dunbar's Annual Report Shows a 15 Per Cent Increase.

SALEM, Or., April 6.—(Special.)—The annual report of Secretary of State Dunbar concerning the insurance business transacted in this state in the year 1902 shows an increase of 15 per cent over the preceding year. The 2 per cent tax on net premiums produced a revenue of $38,507, as compared with $33,988 in 1901. The risks written in fire insurance increased from $74,000,000 to $86,000,000, the property-owners paying out as premiums the sum of $1,013,292. Losses were paid to the amount of $659,168 and premiums returned $411,511, leaving net premiums amounting to $947,073.

The gross premiums on life insurance amounted to $1,321,030, and the net premiums to $987,621. The total amount paid for all kinds of insurance, after deducting losses paid and premiums returned is over $1,977,000, or double the annual expense of maintaining the state government. The people of Oregon carry life insurance in what are known as the "old line" companies to the amount of $40,000,000, or more than one-fourth of the total assessed valuation of all the property in the state. There is no record of the amount of fraternal life insurance. The net premiums on fire insuance were only $847,000, as compared with $865,000 for the preceding year, but the net premiums on life insurance grew from $714,000 to $987,000 in the same time.

The number of fire and marine companies doing business decreased four, while the number of life and accident companies increased three.

APPOINTMENTS BY CHAMBERLAIN.

Captain T. B. Howes Named for Port Warden on the Columbia.

SALEM, Or., April 6.—(Special.)—Governor Chamberlain today appointed T. B. Howes, of Portland, to succeed Captain Hoben as Port Warden on the Columbia. The position pays no salary, the incumbent receiving his compensation in commissions.

C. A. Dolph, of Portland, and William Smith, of Baker City, were appointed to succeed themselves as members of the Board of Regents of the University of Oregon, and F. V. Holman, of Portland, was appointed on the same board to succeed C. C. Beekman, of Portland.

J. D. Wetmore, of Toledo, was appointed Health Officer on Yaquina Bay to succeed F. M. Carter, of Yaquina.

F. M. Saxton, of Baker City, and W. M. Blakley, of Pendleton, were appointed regents of the Weston Normal, to succeed C. W. James and P. A. Worthington, respectively.

St. Helens Brevities.

ST. HELENS, Or., April 6.—County Assessor A. T. Laws, who is now doing field work, states that he is raising the assessment on timber lands at an average rate of $1 per acre. In making the assessment the value of the timber on the land is taken into consideration. If half the timber has been cut off or a portion is burnt woods, an allowance is made for the deficiency.

G. B. Johnson, the Astoria & Columbia River Railroad agent at Rainier, reports that 84 carloads of lumber were shipped from that station in March. Some shipments also were made by steamer.

Robert George, the engineer, who was killed Saturday evening while trying to board a moving logging train near Cathlamet, Wash., Saturday evening, will be buried here tomorrow under the auspices of the St. Helens Masonic lodge, of which he was a member.

La Grande Land Office Business.

LA GRANDE, Or., April 6.—(Special.)—The report of the United States Land Office at La Grande for the month of March is as follows: Cash entries, 271.14 acres, $10,355.50; mineral entries, 253.37 acres, $425; desert land entries (3), 200 acres, $50; 179 homestead entries, 26258.51 acres, fees $1605; 170 homestead entries, commission $1424.43; 16 final homestead proofs, 2545.35 acres, $95.45; N. P. R. R. indemnity list No. 8, 33,256.23 acres, fees $416; other fees, $328.45; sales Umatilla Indian Reservation, $706.70; timber and stone applications filed, 147 (fees paid when proof is made). Total to record, $16,476.62. Reserved on suspended entries, $7145.57.

Girl Did Not Kill Herself.

LA GRANDE, Or., April 4.—(Special.)—Pauline Silk, who disappeared April 2, and was supposed to have committed suicide, was found today in Island City, two miles from La Grande. She had gone to the home of a widow, Mrs. Lindsay, of that place, and given a fictitious name and asked to be allowed to work for her board. The woman was deceived at first by her story, but telephoned to La Grande for a description of the girl lost, of whom she had read in the morning papers. This inquiry led to an investigation, the discovery of the girl's identity and her return to her home today.

Inquest in Foster Case.

GOLD BEACH, Or., April 1.—A postmortem examination was held Tuesday afternoon on the body of Aaron Foster, who died Monday afternoon from the effects of a gunshot wound inflicted by Hedrick Wilson during an altercation over a game of cards. Wednesday forenoon the evidence and testimony of three witnesses was submitted before the Coroner's jury. The jury, after a brief deliberation, returned a verdict that Aaron Foster met his death from a gunshot wound inflicted by Hedrick Wilson. Wilson will be given a preliminary hearing before Justice Dewey Friday forenoon.

ELECTIONS IN MONTANA

PAT MULLINS IS CHOSEN MAYOR OF BUTTE.

Democrats Capture Four of the Aldermen—Anaconda Elects a Socialist Mayor.

BUTTE, Mont., April 6.—Late returns tonight from seven out of the eight wards give the Mayoralty to Pat Mullins, Fusion, by about 60 to 100 votes. Mueller, Democratic, Republican and Citizens' candidate, is second; Leamy, Socialist, third, and Duggan, Labor, fourth.

The Democrats have elected M. Berger, City Treasurer; Thomas Doyle, Police Magistrate, and it is believed have captured four out of the six Aldermen.

At Red Lodge the Socialists elected two out of three Aldermen, the Citizens party naming the third.

The Democrats of Livingston made a clean sweep with the exception of Mayor Garnier, the Republican candidate, who was re-elected by only 22 majority.

Citizens Aldermanic tickets won at Fort Benton and Havre, Dillon and Phillipsburg. Republicans at Glendive elected Mayor and the remainder of municipal ticket. James W. Freeman, Republican, was elected Mayor of Great Falls, and James Foster, Democrat, Mayor of Billings.

SOCIALISTS AT ANACONDA.

Elect a Mayor, Police Judge, Treasurer and Three Aldermen.

ANACONDA, Mont., April 6.—Socialists today elected John Frinke, Mayor; Pat McHugh, Police Judge; Mike Tobin, Treasurer, and three out of six Aldermen. Democrats got two and Republicans one Alderman. In the new Council the Democrats will have four, Republicans five, and Socialists three. The Socialist majorities on the general ticket run from 300 to 400.

ELECTION AT DALLAS.

Voted For Water Proposition and City Officials.

DALLAS, Or., April 6.—(Special.)—An election was held in this city today for the purpose of deciding whether the city should put in a water plant under contract with H. B. Gates. The vote stood 17 in favor of the proposal submitted by that gentleman and 29 in favor of issuing bonds. Mr. Gates will at once make arrangements to put in a gravity system, to be completed this Summer. The following city officers were elected: J. C. Hayter, Mayor; H. C. Coster, Councilman-at-large; D. T. Stopper, Recorder; A. L. Grant, Marshal; Councilmen—First Ward, W. V. Fuller; Second, Ed Shaw; Third, A. P. Muir.

OYSTER OUTPUT FOR 1902.

Washington Product Has Assumed Large Dimensions.

OLYMPIA, Wash., April 6.—The oyster business of the Northwest Coast has wonderful possibilities, being possibilities not enjoyed by California by reason of her too warm waters; and with ready local and foreign markets at hand it will not be many years before the tables will be turned and instead of Eastern oysters being shipped to this Coast, it will be the shipping of Puget Sound oysters and other Northwest Coast oysters to all Eastern points, both in the shell and canned.

Following is the output of native oysters in the Puget Sound district:

At—	Sacks.	Value.
Oyster Bay	25,000	$100,000
Little Squim	1,000	4,000
Mud Bay	3,000	12,000
Squim Bay	6,000	24,000
Other places	7,000	28,000
Totals	42,000	$168,000

Capital invested, $63,000.

Eastern oysters planted in Puget Sound district:

Samish Bay—	Value.
Four carloads	$ 4,800

The output of oysters in the Willapa Harbor district was as follows:

Willapa Harbor—	Sacks.	Value.
Natives	35,000	$78,750
Eastern	2,000	15,000
Totals	37,000	$93,750

The native seed taken from the natural beds in 1902 was as follows:

Seed—	Value.
175,000 sacks at 20c per sack	$35,000
18 carloads of Eastern oysters planted	21,600

QUIET ELECTION AT EUGENE.

Opposing Candidates in Only One Ward of the City.

EUGENE, Or., April 6.—(Special.)—The city election today was one of the most uninteresting ever held in the city. Except for the fact that saloons were closed, it was hardly noticeable that it was election day. The only instance where there were opposing candidates was in the First Ward, where A. Svarverud ran against T. B. Anderson and did a great deal of work, but failed. The following were elected:

G. R. Chrisman, Mayor; B. F. Dorris, Recorder; Frank Reisner, Treasurer; T. B. Anderson, Councilman First Ward; L. O. Beckwith, Councilman Second Ward; G. W. Griffin, Councilman Third Ward; F. M. Walkins and J. D. Matlock, Councilmen Fourth Ward.

Election at Cottage Grove.

COTTAGE GROVE, Or., April 6.—(Special.)—The annual city election was held here today and the following named officers were elected: R. M. Veatch, Mayor; Councilmen—First, Second and Third Wards, J. P. Currin, Oliver Veatch and Dr. George Wall; J. E. Young, Recorder; H. Eakin, Treasurer. The contest for Mayor between R. M. Veatch and Dr. Job was a lively one, in which Mr. Veatch was elected by a majority of 57 votes.

One Contest at St. Helens.

ST. HELENS, Or., April 6.—(Special.)—The only contest at the city election today was over President of the Council. James Dart was re-elected over W. B. Dillard by a majority of 30, the latter consenting this morning to permit his name to be used. Other officers elected are: Councilmen, Martin White, J. H. McKie, W. F. Slaughter, S. A. Miles; Recorder, R. Cox; Treasurer, E. E. Quick; Marshal, F. M. Thorp.

Council's Policy Indorsed.

CLATSKANIE, Or., April 6.—(Special.)—An election was held today for city officers to serve the ensuing year. The result was practically an indorsement of the present Council's attempt to extend the water system and open additional streets. The following persons were chosen: President of Council, S. C. Tichenor; Councilmen, Dr. J. E. Hall, G. C. Tichenor, P. J. Popham, T. J. Flippen; Recorder, G. R. Higgins; Treasurer, M. E. Page; Marshal, G. D. Butherland.

Waitsburg Prohis Defeated.

WAITSBURG, Wash., April 6.—The Prohibitionists of this city were overwhelmingly defeated today at the annual municipal elections. The Citizens ticket is headed by Mayor C. L. Wheeler, who was re-elected by 119 votes. His opponent, W. B. Brooke, received 22 ballots. The Prohibitionists during the campaign declared that if elected they would close the town.

License Defeated at Woodburn.

WOODBURN, Or., April 6.—(Special.)—Woodburn's annual city election held today passed off very quietly, the result being the election of the entire Citizens' ticket and the defeat of license by a vote of 32 for license and 107 against. The following officers were elected: Grant Corby, Mayor; Henry Kelsey and E. W. Finzer, Councilmen; Charles F. Whitman, Recorder; S. C. Berry, Treasurer; Amos Beach, Marshal. The average majority of the successful candidates was about 50.

Idaho Water Commissioners.

BOISE, Idaho, April 6.—Governor Morrison today appointed the following Water Commissioners under the provisions of the new irrigation law:

District No. 1—Edward J. Turner, of Cover, Bannock County, for six years.

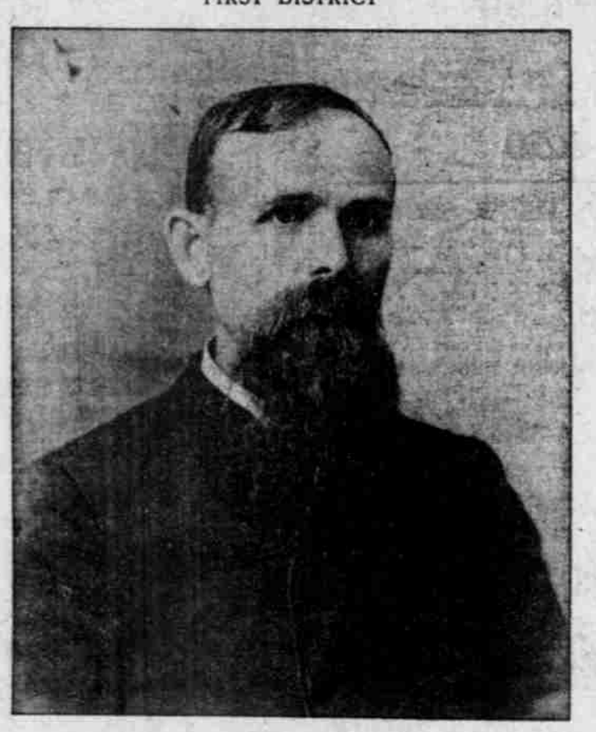
District No. 2—Frank J. Tiblett, of Albion, Cassia County, for four years.

District No. 3—J. H. Lowell, of Roswell, Canyon County, for two years.

Billiard Hall Man Arrested.

WOODBURN, Or., April 6.—(Special.)—August Calmels, proprietor of a billiard hall, was arrested by the city authorities tonight under a city ordinance for having liquors in his possession. He was placed under bonds of $50, which he promptly furnished.

SOCIALIST CANDIDATE FOR CONGRESS IN THE FIRST DISTRICT



JOHN W. INGLE, OF CORVALLIS.

CORVALLIS, April 6.—(Special.)—John W. Ingle, Socialist candidate for Congress in the First District, was a delegate to the last National convention as a Populist. He was born in Illinois, December 10, 1849, and came to Oregon in 1862. He lived in Eastern Oregon 15 years. He received his education at Philomath College, in Benton County, after which he taught school several years. He served two years from Umatilla County, being elected as the Democratic candidate. He then conducted a warehouse in Dayton, Or., for four years and a general merchandise store in Philomath, Or., for the same period. He now owns a good farm 2½ miles from Corvallis.

HIS BOOKS IN A MESS

HOW —PERTS FOUND ACCOUNTS OF LATE ASTORIA AUDITOR.

No System Employed in the Office—Shortage Amounts to Over Seven Thousand Dollars.

ASTORIA, April 6.—(Special.—The experts who have been examining the books and accounts of the late City Auditor H. E. Nelson submitted their report to the Council at its meeting this evening. The report says in part:

We found it in a deplorable condition, as no system has been employed in the administration of its affairs. No books have been kept and papers, reports and vouchers were almost inaccessible, being scattered over the office, some stored away and others strewn upon the floor. We find that no papers have been indexed since the year 1896; nor records kept of sale of cemetery lots or burials since that time. As a matter of fact, so far as ascertained none of the former Auditors kept a complete record of same.

In order to check the Auditor's office and secure vouchers, receipts, papers, etc., that were missing, it was necessary to search the office from top to bottom, going through all former Auditors' papers as far back as the year 1870, in order to find vouchers, etc., that were necessary to make an intelligent report:

We find that during the years 1898 and 1899 the Auditor raised 83 warrants amounting to	$1,778.75
Years 1900 and 1901, 179 warrants amounting to	4,088.22
Year 1902, 46 warrants, amounting to	1,215.62
In the year 1902 11 warrants were issued, but were not delivered to the parties in whose favor they were drawn, and for which the Auditor is responsible, amounting to	16.85
Making a total shortage during the incumbency of Auditor Nelson of	$7,100.34

We find that the sureties who appear on the Auditor's bonds are as follows, and the amount of shortage set opposite each:

Years 1896 and 1897, W. L. Robb and Martin Foard	No shortage
Years 1898 and 1899, August Danielson and Charles Larsen	$1,778.75
Years 1900 and 1901, G. A. Nelson and Charles Larsen	4,088.22
Year 1902, there appears to be no bond, at least none has been found	1,232.27
Total	$7,100.34

The report of City Auditor Anderson for the quarter ending March 31 was represented to the Council this evening, and shows the resources and liabilities of the city to be as follows:

Liabilities—	
General fund warrants	$ 30,064.82
Street warrants	5,784.25
Municipal bonds	170,000.00
Street bonds	9,888.52
Total indebtedness	$215,737.59
Resources—	
Taxes, outstanding	$ 26,381.44
Street and sewer assessment	24,269.22
Cash in hands of Treasurer	15,352.37
Total resources	$ 66,003.03

Excess of liabilities over resources, $149,184.56. On the first of the year the excess of liabilities was $163,081.96.

MANGLED BY A TRAIN.

Intoxicated Man on the Track Run Down Near Clifton.

ASTORIA, April 6.—(Special.)—As last evening's down train on the A. & C. R. was rounding a curve about a mile this side of Clifton, Engineer Stoner saw an object on the track a short distance ahead and instantly put on the airbrakes, but the train could not be stopped in time and the pilot of the engine struck the object, and after rolling it over a few times, knocked it off the track. As soon as the train could be stopped the train crew went back and found the lifeless and horribly mangled body of a man. The body was taken back to Clifton, where it was identified as that of Fred Olsen, a man who had come to Clifton two weeks ago from Portland, and who had been engaged by Thomas Wedell as his boatpuller for the coming fishing season. Yesterday afternoon he had been drinking heavily and in the evening, while very much intoxicated, had started down the railroad track in the direction where he was subsequently killed. It is presumed he fell on the track and went to sleep or was too drunk to get on his feet again. Very little is known of the man, except that he was a Swede, about 50 years of age, had been a sailor and has a brother in that capacity on the United States Fish Commission Steamer Albatross. Coroner Pohl has taken charge of the body and will hold an inquest on it tomorrow.

Opening at Annapolis.

ASTORIA, April 6.—(Special.)—Under a recent act of Congress each Senator and Representative is authorized to appoint one midshipman to the Annapolis Naval Academy, the examinations for which will be held in this state during the present month. Senator Fulton has not yet selected the young man whom he will name and desires candidates for the position, who must be between the ages of 15 and 21 years, to file applications and recommendations with him.

Fish Warden Reports.

ASTORIA, April 6.—(Special.)—The monthly report of Fish Warden Van Dusen shows the receipts of his office for the month of March to have been $668.10, of which $112.60 was from fines and sales of contraband salmon, and the balance from licenses.

Astoria Horseman Injured.

ASTORIA, April 6.—(Special.)—While horseback riding yesterday afternoon, S. S. Gordon, cashier of the First National Bank, of this city, was severely injured. The animal became frightened at a passing bicycle and plunging into a ditch by the roadside, stumbled and fell through a barbed-wire fence, catching his rider underneath him. Mr. Gordon sustained a severe scalp wound and a deep gash was cut, several inches in length, above the elbow, making an ugly and a painful wound. Fortunately, no bones were broken, and the injuries are not thought to be of a serious nature.

SIDE LINES ARE END LINES.

Opinion Filed in the Bunker Hill & Sullivan Mining Case.

BOISE, Idaho, April 6.—(Special.)—In the case of the Bunker Hill & Sullivan Company vs. the Last Chance and other companies, involving the right of the complainant to follow ore within the planes of the side extended into territory claimed by the Last Chance, Master in Chancery Warren Truitt has filed findings and an opinion, holding in favor of the complainant company. The question of priority is discussed at length and decided in favor of the Bunker Hill. The next problem, whether the claim crosses the Bunker Hill, so as to make its side lines end lines in determining its extralateral rights, is decided in favor of the complainant. The opinion says: "This is the pivot question in this case; the main dispute relates to the width of the ledge within the Bunker Hill claim. Taking the footwall as the eastern boundary of the ledge, it would have to be nearly 800 feet wide for the hanging wall to cut the west line of the claim at the northwest corner, and even wider than that to cut this line, as claimed by respondents. I do not think the evidence or the nature of the ledge sustains the contention."

It is held the ledge cannot be held to be more than 250 or 300 feet wide, and the conclusion is reached that the contention of the respondents that the vein crosses the end lines is not established. The master finds the Bunker Hill ledge crosses the claim in such a manner that the side lines become the end lines.

Prices of Salmon Fixed.

ASTORIA, Or., April 6.—(Special.)—The Columbia River Fishermen's Protective Union held a meeting this evening and fixed the prices of fish for the coming season at 5 cents per pound for cannery fish and 6 cents per pound for cold storage fish; that is those weighing 25 pounds or over. As those are the prices already practically agreed upon by the packers, no controversy is anticipated.

NORTHWEST DEAD.

Thomas A. Ward.

THE DALLES, Or., April 6.—(Special.)—Thomas A. Ward, one of the best-known citizens of this vicinity, died at his residence in this city this afternoon after a prolonged illness.

Mrs. Nannie E. Yates and Babe.

JACKSONVILLE, Or., April 6.—(Special.)—Mrs. Nannie E. Yates and her infant babe died here yesterday. Mr. Yates came here from Boulder, Colo., about a year ago, and has been in the employ of the Iowa Lumber Company. The bodies of mother and child have been embalmed and will be shipped to Colorado for interment.

His Dog Faithful to Him.

BUTTE, Mont., April 6.—Timothy J. Nolan, a well-known character in South Butte, dropped dead this morning. His little dog stood beside the body until passers-by discovered it, and then the animal made a pitiful attempt to follow it as the dead-wagon bore it to the undertaker's.

Rachel Fowler.

SALEM, Or., April 6.—(Special.)—Rachel Fowler, aged 78 years, died at her home near Wheatland, Polk County, April 4, of pneumonia. Deceased had been a resident of Oregon since 1864. She leaves three sons, M. B. Fowler, J. W. Fowler and P. H. Fowler, all residents of Wheatland.

Colonel W. J. Best.

SAN RAFAEL, Cal., April 6.—Colonel W. J. Best, an ex-member of the Supreme Court of New York, died today after a brief illness. He was a veteran of the Civil War and leaves an estate valued at $1,000,000.

MORE RUBBERINGS

Into the Future With the Cushions of Comfort.

Accidents have developed that live wires may be laughed at by those who wear new rubber.

* * * * *

Put money into a stocking, but not into a rubber stocking—the rubber heel is the newest cure for varicose veins.

* * * * *

Leather heels are bad enough, goodness knows, but people who get into trouble wearing them have trouble enough without buying rubbish rubber to help them out of their difficulties.

* * * * *

Order by the name—O'Sullivan.

* * * * *

O'Sullivan's Rubber Heels are the best, but cost you no more than the rest; 35c pair—plus price of attaching.

TAKE YOUR VACATION NOW HERE'S THE TRIP

Join one of our Pullman tourist sleeping car excursions to ST. LOUIS or MEMPHIS. All the way from Portland without change of car, in charge of a conductor who points out and tells you about the places of interest. For particulars, ask

C. W. STINGER, City Tkt. Agt., O. R. & N. Co.
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Not a dark office in the building; absolutely fireproof; electric lights and artesian water; perfect sanitation and thorough ventilation; elevators run day and night.

	Rooms.
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